

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

JEFFERY HOPE,

Plaintiff,

v.

No. 23-CV-132-JFH-GLJ

**SHANNON SMITH,
Seminole County Sheriff,**

Defendant.

OPINION AND ORDER

Plaintiff Jeffery Hope (“Hope”) is a pro se pretrial detainee who is incarcerated at the Seminole County Jail in Wewoka, Oklahoma. On April 21, 2023, a civil rights complaint pursuant to 42 U.S.C. § 1983 was filed in Hope’s name against Seminole County Sheriff Shannon Smith, seeking monetary and injunctive relief for alleged constitutional violations at the jail. Dkt. No. 1. Also on April 21, 2023, the Court directed Hope to submit a Statement of Institutional Accounts. Dkt. No. 4.

On May 1, 2023, Hope filed a “Voluntary Statement,” alleging he had not filed the complaint in this matter and that his signature was forged. Dkt. No. 5. The statement is not notarized, but it was witnessed by Inmate Kevin Hand. *Id.* Hope asserts in his statement that Inmate David McDermott had informed him that McDermott had forged papers in Hope’s name and sent them to the federal court. *Id.* Hope maintains he did not file anything in the Court. *Id.*¹

¹ Seminole County Inmate Kevin Hand alleges in *Hand v. Smith*, No. 23-CV-133-RAW (E.D. Okla. May 1, 2023), that McDermott also forged the complaint in that case.

After careful review, the Court finds this action should be dismissed, because Hope alleges he did not file it.

IT IS THEREFORE ORDERED that this action is dismissed pursuant to 28 U.S.C. § 1915A.

Dated this 9th day of May 2023.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE